

REMARKS

Claims 1–8 and 21–32 are pending in the present application.

Claims 1 and 3–8 were amended herein to explicitly recite an inherent limitation of the claims. The scope of the claims has not been altered.

Reconsideration of the claims is respectfully requested.

35 U.S.C. § 102 (Anticipation)

Claims 1, 3–8 and 21–32 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,835,988 to *Ishii*. This rejection is respectfully traversed.

A claim is anticipated only if each and every element is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim. MPEP § 2131 at p. 2100-69 (8th ed. August 2001).

Independent claim 1 recites folding a portion of a lead frame other than the leads or pins around an encapsulated integrated circuit die. Such a feature is not found in the cited reference. *Ishii* depicts and describes only folding leads 4b around encapsulant 5c surrounding integrated circuit die 2.

Similarly, independent claims 21 and 29 each recite that the lead frame includes leads and electrostatic discharge portions, and folding of the electrostatic discharge portions (as opposed to the leads) around the encapsulated integrated circuit die. Such a feature is not found in the cited reference.

Therefore, the rejection of claim 1, 3–8 and 21–32 under 35 U.S.C. § 102 has been overcome.

35 U.S.C. § 103 (Obviousness)

Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ishii* in view of U.S. Patent No. 5,773,876 to *Mekdhanasarn et al.* This rejection is respectfully traversed.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142, p. 2100-123 (8th ed. rev. 1 February 2003). Absent such a *prima facie* case, the applicant is under no obligation to produce evidence of nonobviousness. *Id.*

To establish a *prima facie* case of obviousness, three basic criteria must be met: First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. MPEP § 2142 at p. 2100-124.

As noted above, the independent claims each recite features not found in *Ishii*. Such features are also not found in *Mekdhanasarn et al.* Furthermore, *Mekdhanasarn et al.* does not teach or suggest connecting a portion of a lead frame folded around the encapsulated integrated circuit die to a ground voltage, merely connecting a lead frame to a ground voltage. Accordingly, no motivation

or incentive exists for modifying the teachings of the cited references to achieve the claimed invention.

Therefore, the rejection of claim 2 under 35 U.S.C. § 103 has been overcome.

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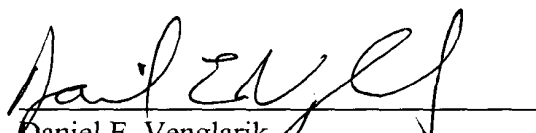
If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *dvenglarik@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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